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SUPREME COURT, U.S.

No. 06-395

In The
Supreme Court of the Unites states

Willard D. Gross **Petitioner**

V.

Fred Irtz **Respondent**

On rehearing of Writ of Certiorari
To The Supreme Court of Kentucky

PETITION FOR REHEARING

Willard D. Gross, pro se
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(859) 299-6109

QUESTIONS PRESENTED

Whether the courts below have the power and authority to deny petitioner his constitutional rights by the court disposing of six heirs motions with out a notice or a hearing. Hearing was set for April 3, 2000? This done by the court to keep these six motions from being heard before the court. These motions were never heard?

Whether the courts below have the power and authority to deny petitioner his constitutional rights by the court sealing two of his motions filed on Aug. 25, 1997 and sealed on Aug. 25, 1997 by the court to keep these two two motions from being heard before the court. These motions were never heard?

PARTIES TO THE PROCEEDINGS

Only the party names in the caption.

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U.S. SUPREME COURT'S OPINION

The opinion of the United States Supreme Court is reproduced in the appendix at Pet. 1

JURISDICTION

This case is in the U. S. Supreme Court

CONCISE STATEMENT OF CASE

On February 15, 2000 all participation heirs, which was Six Heirs started again, filing Motions for the termination of Fred Irtz unlawful appointment as Fiduciary of C. P. Gross' estate. The first to filed was:

On 02/23/2000 Hearing set for April 03, 2000

Willard D. Gross II	**on February 15, 2000**
William Gross	**on February 15, 2000**
Willard D Gross	**on February 15, 2000**
Jane Lemay Gross	**on February 16, 2000**
C.P. Gross II	**on February 17, 2000**
Eugene C. Gross	**on February 29, 2000**

This is all of participating Heirs filing Motions. See ESTATE OF: GROSS, CALEB P. Pages 13, 14 15 and page 16 of February 2000.

District Judge Kevin Horne: Disposed all Motions the heirs has filed for the termination of Fred Irtz. unlawful appointment as fiduciary of C.P. Gross estate, without NOTICE OR HEARING
Judge Horne Disposed Eugene Gross' motion on hearing day April 3, 2000. See Eugene Gross' Motion to terminate filed on Feb. 29, 2000.

MOTION DISPOSED 8 days Feb. 23, 2000
Motion - Other
Family Member
Motion to terminate filed by Willard D. Gross II

MOTION DISPOSED 8 days FEB. 23, 2000
Motion - Other
Family Member
Motion to terminate Filed by William Gross.

MOTION DISPOSED 8 days FEB, 23, 2000.
Motion -Other
Family Member
Motion to terminate Filed by Willard D. Gross.

MOTION DISPOSED 7 days FEB. 23, 2000.
Motion - Other
Family Member
Motion to terminate Filed by Jane Lemay Gross.

MOTION DISPOSED 6 days FEB. 23, 2000
Motion - Other
Family Member
Motion to Terminate Filed by C.P. Gross II

MOTION DISPOSED 34 days April 3, 2000
Motion - Others
Family Member
Motion to Terminate Filed by Eugene C. Gross

At hearing April 3, 2000 Judge Horne called Mr. W. Gross' case to bench "Mr. Gross I'm going to overrule you Motion." Willard objected. Judge Horne Overruled Mr. Gross Objection.
Willard filed his objection to Judge Horne's Overruling Willard's motion to terminate and refused to issuing a ORDER that he could appeal. file on April 10, 2000.

The Case History 4/3/2000 does not say any thing about the supposed hearing. It states:

MOTION DISPOSED 34 Days April 3, 2000
Motion-Others-
Family Member
Motion to terminate filed by Eugene C Gross.

Case History page 14 of 30 shows Scheduled event on April 3, 2000 at 09:00 A.M Probate hearing Hon. Kevin Horne 2/23/2000, this is what the heirs has been going through from a forged petition to have C. P. Gross declared incompetent. A 6 Person jury Ruled Mr. C.P. Gross was not declared incompetent. Also a forged Summons by attorney Tom Burnett to bring this case before the court. The courts and authorities refuse to do anything about these and other acts.

On 07/07/1997 on page 6 of 28 the same 6 Heirs signed a Notice wanting Fred Irtz to with draw as Successor Executor, 100% of the participation heirs. When 100% of the heirs ask Fiduciary to step down. He Steps. In the place Lexington, KY., if the courts see over half Million Dollars in cash. The lawyers and Judges or going to get the cash.

On July 15, 1997 Fred Irtz filed a motion for approval of fees. Fred Irtz started on June 30, 1997, back charging the estate the amount he desired in his July 15, 1997, his motion for approval fees.

Filed on July 15,1997 Fred Irtz motion for approval of fees was never ruled on by the court. No Order was issued. Willard filed his objection.

On August 25, 1997, Willard, filed two motions one for the Disqualification of Dist. Judge Tackett. (2) Amended and Renewed Motion to Terminate and appoint.

Both of these Motions were sealed by the court, on 8/25/97. The same day they were filed. Judge Tackett Sealed both MOTIONS. The motion to terminate Fred Irtz appointment 100% of the participating heirs which was 6, all signed this Motion to Terminate Fred Irtz unlawful appointment. See Estate of Gross, Caleb P. pages 5, 6, and 7, of 28. August 25, 1997.

Fred Irtz could not be appointed as Successor Executor. He did not come before District Judge Tackett. Fred did not take the oath. He did not file a bond. Fred did not file a Application for Fiduciary. There was no hearing. No application. Judge Tackett mail Fred Irtz' his fully void Order.

On May 5, 1997 Judge Tackett mailed attorney Fred Irtz a Void order appointing Fred Successor Executor of C.P. Gross' Estate. The order Judge Tackett mailed to Fred Irtz was void, with the use of white out Fred changed the order to read Succ. Admir. This make the order void and forged.

Judge Tackett, even though Fred Irtz appointment was void and a forged order. Judge Tackett, knowingly she was giving protection to Fred Irtz, by refuse to give the heirs a hearing to terminate Fred Irtz unlawful appointment. District Judge Horne knowing Fred Irtz appointment was a void and forged Appointment. He refused to grant the heirs a hearing to terminate Fred's appointment.

Fred Irtz, filed a motion for approval of fees on July 15, 1997, in the Estate of C.P. Gross. This was a unauthorized document filed into C.P. Gross, Estate.

One cannot file motions in C.P. Gross Estate, until he has taken the oath of office. Fred Irtz did not take the oath of office. Willard raised this issue and others. When the motion for fees was filed on July 15, 1997. Fred gave himself a title. "Administrator" Fred Irtz forged his title from Successor Executor to read "Succ. Admir." Instead of Successor Executor. Fred

Irtz on July 15, 1997 Fred Irtz forged his appointment to read Administrator for C.P. Gross' Estate.

The court used Fred Irtz forged title Successor Administrator. Till the end of the case, knowing that this is a forged title. Eugene Gross, was appointed Executor also Willard D Gross was appointed Executor in his father's Will.

Judge Horne made Eugene to put up a $585.000.00. Bond In C.P Gross' Estate. In his will no Bond Necessary. The court's bond for Fred Irtz, "nothing"

On 7/7/1997 filed a NOTICE signed by the same 6 heirs 100% of the participating heirs. The heirs wanted Fred Irtz to with draw as Successor Executor and appoint Willard D. Gross as Executor as he is appointed Executor in C.P. Gross' Will.

Willard D. Gross, offered to divided all money as C.P. Gross stated in Will. The Lawyer stopped this action. This was before the hearings had started. The Judge and Lawyers knew there was more cow to milk. They wound up with over $470,000.00. Fred Irtz paid himself over $106,000.00 six time more money than KRS 395,150 allows him.

Willard does not know how much Fred Irtz paid his attorney Robert C Monk This is a attorney hiring an attorney. Both paid out of the estate and both out of the same law office. which is a conflict of interest.

Circuit Judge Noble ruled that Willard D. Gross' Father gave Willard his CD's and made Willard his power of attorney, Then she turned around and put the money in the Estate. She turned all of the lawyers loose on the Estate. This is how the courts work in Kentucky and how the courts take your money. Brother Eugene run up over $99,000.00 owe to several Lawyers. When Judge Noble placed the money that Willard father gave him into the estate, they collected this $99,000.00. One of these lawyers the husband of Circuit Judge Overstreet. Dum as a Rock. Attorney Jerry Wright.

Eugene fired Jerry's Law firm Herron and Adams. One or the other came to the probate court to collect Jerry Wright's money. He stated that Jerry wright could not prepare a legal Motion that he prepared all of Jerry's pleadings.

Fred Irtz gave all money that the lawyers ask. No Questions. Willard objected to all but one attorney that help with the petition disability against his Father.

Fred Irtz has refused to file periodic account ing. The courts upheld Fred.
Judge Horne would not let Fred Irtz answer a Question. Judge Horne, answer for him. The Judge on the bench, was attorney for attorney Fred Irtz. Right before Willard's eyes, nothing Willard could do about.

The lower court's refused to give the heirs a hearing for the termination of Fred Irtz, unlawful appointment as fiduciary of C.P. Gross' Estate. This Appointment was void when it was issued and forged after Fred Irtz received it.

Willard D Gross is mailing some court records of the ESTATE OF: GROSS, CALEB P. Case # 91-P-01247 for evidence.

CONCLUSION

District Judge Julia Tackett, placed two motions that Willard filed on August 25, 1997 to be sealed by the court on Aug. 25, 1997. (1) motion was to terminate Fred Irtz appointment as Fiduciary. (2) Motion to Disqualify Judge Julia Tackett. She stopped these motions still. They were never heard.

Six heirs filed separate Motions for termination of Fred Irtz unlawful appointment as Fiduciary between Feb. 15, 2000 and Feb. 29, 2000, to be heard on April 3, 2000. District Judge Horne Disposed of these motions starting from Feb., 23, 2000 to April 3, 2000, with out giving the heirs a notice or hearing.

On 4/11/2005. Willard filed a response and motion for Fred Irtz to be placed on the witness stand to prove he is the lawful administrator of C.P. Gross' Estate. To be heard on April 14, 2005.

Willard called his Motion before the court. District Judge Ransdell after a long argument stated: Willard did not have a Motion before the court. Willard offered to show Judge Ransdell his Motion filed on 4/11/2005.

She refused to take a look at Willard's Motion. Still Arguing that, Willard did not have a Motion before the court knowing Willard's Motion was stamped by the court.

The sitting judges has knowingly and deliberate denied the heirs of C.P. Gross, due process of law and access to the courts. Wherefore, in light of the above this court should Grant Motion for Re-hearing.

Willard D Gross

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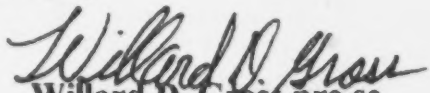
The grounds that Willard filed his petition for rehearing is presented in good faith and not for delay. Grounds are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

Willard raises issues showing that the courts disposed of the heirs motions for the termination of Fred Irtz as fiduciary within 7 days after they were filed. 41 days before the motions was to come before the court.

Comes Willard D. Gross pro se and certifies that his petition for rehearing is presented in good faith and not for delay.



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APPENDICE

App. 1

Supreme Court of the United States
Officer of the Clerk
Washington, DC 20543-0001

November 27, 2006

Re: Willard D Gross V.
Fred Irtz, Administrator of C. P. Gross
No. 06-395

Dear Mr. Gross:

The Court today entered the following order

In the above-entitled case: The petition for

a writ of certiorari is denied.

William K, Suter, Clerk